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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------|----------------------------------|----------------------|---------------------|------------------|
| 10/599,867 | 10/12/2006 | David A. Fish | T4957-B005 | 5856 |
| | 7590 05/18/201 MAN HAM & BERN | EXAMINER | | |
| 1700 DIAGON SUITE 300 | | BOYD, JONATHAN A | | |
| ALEXANDRIA | A, VA 22314 | ART UNIT | PAPER NUMBER | |
| | | | 2629 | |
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| | | MAIL DATE | DELIVERY MODE | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

| Application No. | Applicant(s) | | |
|-----------------|--------------|--|--|
| 10/599,867 | FISH ET AL. | | |
| Examiner | Art Unit | | |
| JONATHAN BOYD | 2629 | | |

| NOTICE OF APPEAL The Notice of Appeal was filed on | | JONATHAN BOYD | 2629 | |
|---|--|--|--|--|
| 1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of this application, applicant must timely file one of the following replicis: (1) an amendment, affidiaty, or other evidence (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.131; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) ☑ The period for reply expires ② months from the mailing date of the final rejection. b) ☐ The period for reply expires ⊙: (1) the mailing date of the final rejection. Examinar Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS for The FIRMA REJECTION. See MPEP 708.07(1). Extensions of time may be obtained under 37 CFR 1.198(a). The date on which the petition under 37 CFR 1.198(a) and the appropriate extension fee number 37 CFR 1.174(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action. (2) as may reduce any example applications of time may be obtained under 37 CFR 1.178(a). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee number 37 CFR 1.174(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action. (2) as may reduce any example application and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.174(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action. (2) as may reduce any semior plantage and the shortened statutory period for reply originally set in the final Office action. (2) as many reduce any semior plantage and the shortened statutory period for reply originally set in the final Office action. (2) and the shortened statutory period for reply originally se | The MAILING DATE of this communication appe | ars on the cover sheet with the c | orrespondence add | ress |
| application, applicant must timely file one of the following replies: (1) an amendment, afficavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.14. The reply must be filed within one of the following time periods: a) The period for reply expires 3 months from the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: (If bot is checked, check either box (a) or (b), ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MPEP 706 07(f). Extensions of time may be obtained under 37 CFR 1.138(a). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed in the state of purposes of the feet of the filed | THE REPLY FILED <u>04 May 2010</u> FAILS TO PLACE THIS APPI | LICATION IN CONDITION FOR AL | LOWANCE. | |
| a) The period for reply expires 2_months from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examer Note: If box 1.s checked, check citisher box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, over if timely filed, may reduce any amend patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). And the proposed amendment (s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise the issue of new matter (see NOTE below); (b) They raise he wissues that would require further consideration and/or search (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) | application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C | replies: (1) an amendment, affidavit eal (with appeal fee) in compliance | t, or other evidence, www. with 37 CFR 41.31; or | hich places the (3) a Request |
| b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than \$1% MONTHS from the mailing date of their ejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE PROPERTY OF THE P | <u></u> | of the final rejection. | | |
| have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 (e)), to avoid dismissal of the date of filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filling a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). Applicant's reply has overcome the following rejection(s): | b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire a Examiner Note: If box 1 is checked, check either box (a) or (| dvisory Action, or (2) the date set forth in ter than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE | date of the final rejection | n. |
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| 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s) | | | | |
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| 13. Other: /Amr Awad/ /J. B./ | 11. 🛮 The request for reconsideration has been considered but | does NOT place the application in | condition for allowan | ce because: |
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| 10. D. 1 | /Amr Awad/ | /I B / | | |
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Continuation of 11. does NOT place the application in condition for allowance because: The Examiner would like to point out to the Applicant that the Examiner agrees that the invention set forth in Fig. 3, for example, is different from the currently cited prior art. However, as currently claimed, the Examiner can broadly interpret the claims so as to read on the current prior art.

The Examiner respectfully disagrees with Applicant's assertion on Page 2 of the Remarks that the subpixels must be of the RGB spectrum. Parameters within parentheses within a claim are held as only labels, the Examiner recommends that to overcome this limitation that the Applicant amend the claim so as to say, for example, "the pixels comprise first sub pixels of the RGB colour scheme (RL,GL,BL) comprising a first EL material..."

The Examiner respectfully disagrees with Applicant's assertions on Page 2 of the Remarks that Cok does not teach "the first EL material is of a higher lifetime that the second EL material; and the second EL material has a better colour point and/or better colour rendition properties that the first EL material." Looking now at Claim 1, it is said that each pixel comprises sub-pixels of two or main colours, i.e. Red and Blue. The next statement states that for at least ONE of the main colours, the pixels comprise first sub pixels (I.e. Red) of the main colour comprising a first EL material and second sub pixels (i.e. Blue) of the main colour comprising a second EL material. It is well known in the art that red light emitters and blue light emitters have different active lifetimes (See; Applicant submitted reference WO 01/99195) wherein Red typically has a higher lifetime than Blue. It is also well known that Blue is a more vivid color than red, thus allowing it to be run at a lower efficiency than Red so as to increase its lifetime in relation to Red.

Further, the Examiner respectfully disagress with Applicant's assertion on Page 2 that Cok does not teach driving a first sub-pixel (Red) with a higher lifetime in combination with a sub-pixel with a better colour point (blue), depending upon whether the colour of the first sub-pixel is sufficient,. Cok teaches where the Red and Blue sub-pixel will always be driven together since the Red sub-pixel is not sufficient without the Blue sub-pixel.

The Examiner recommends to overcome the current rejection to specify the sub-pixel arrangment to read on that of Figure 3 of the instant application.